LAW 858—80TH CONGRESS]

[CHAPTER 771—2D SESSION]

[H. R. 6419]

AN ACT

Authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—RIVERS AND HARBORS

SEC. 101. The following works of improvement of rivers and harbors and other waterways for navigation, flood control, and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and supervision of the Chief of Engineers, in accordance with the plans and subject to the conditions recommended by the Chief of Engineers in the respective reports hereinafter designated: *Provided*, That the provisions of section 1 of the River and Harbor Act approved March 2, 1945 (Public, Numbered 14, Seventy-ninth Congress, first session), shall govern with respect to projects authorized in this title; and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto, shall apply as if herein set forth in full:

Beals Harbor, Maine; House Document Numbered 553, Eightieth Congress;

Cape Porpoise Harbor, Maine; House Document Numbered 555, Eightieth Congress;

Channel from Buzzards Bay to Buttermilk Bay, Massachusetts; House Document Numbered 552, Eightieth Congress;

Falmouth Harbor, Massachusetts; House Document Numbered 566, Eightieth Congress;

Provincetown Harbor, Massachusetts; House Document Numbered 600, Eightieth Congress;

Taunton River, Massachusetts; House Document Numbered 196, Eightieth Congress;

Harbor of refuge at Point Judith, Rhode Island; Senate Document Numbered 15, Eightieth Congress;

Westcott Cove, Connecticut; House Document Numbered 379 Eightieth Congress;

Greenwich Harbor, Connecticut; House Document Numbered 272, Eightieth Congress;

Rock Hall Harbor, Maryland; House Document Numbered 273, Eightieth Congress;

Chester River, Maryland (channel from Kent Island Narrows to Wells Cove); House Document Numbered 380, Eightieth Congress;

Cambridge Harbor, Maryland; House Document Numbered 381, Eightieth Congress;

Honga River and Tar Bay, Maryland; House Document Numbered 580, Eightieth Congress;

Bransons Cove, Lower Machodoc River, Virginia; House Document Numbered 420, Eightieth Congress;

Deep Creek, Warwick County, Virginia; House Document Numbered 601, Eightieth Congress;

Norfolk Harbor, Southern Branch of Elizabeth River, Virginia; House Document Numbered 545, Eightieth Congress;

Stumpy Point Bay, North Carolina; House Document Numbered 422, Eightieth Congress;

Inland Waterway, Beaufort to Cape Fear River, North Carolina, including waterway to Jacksonville, North Carolina; House Document Numbered 421, Eightieth Congress;

Winyah Bay, South Carolina; in accordance with the report on file in the Office of the Chief of Engineers.

Saint Andrew Bay, Florida; House Document Numbered 559, Eightieth Congress;

Gulfport Harbor, Mississippi; in accordance with the report of the Chief of Engineers dated April 20, 1948;

Harrison County, Mississippi; Shore protection; House Document Numbered 682, Eightieth Congress;

Galveston Harbor, Texas; House Document Numbered 561, Eightieth Congress;

Galveston Channel, Texas; House Document Numbered 561, Eightieth Congress;

Texas City Channel, Texas; House Document Numbered 561, Eightieth Congress;

Houston Ship Channel, Texas; House Document Numbered 561, Eightieth Congress;

Port Aransas-Corpus Christie Waterway, Texas; House Document Numbered 560, Eightieth Congress;

Mississippi River at Fort Madison, Iowa; House Document Numbered 661, Eightieth Congress;

Grand Traverse Bay, Michigan (in the vicinity of Traverse City); House Document Numbered 546, Eightieth Congress;

Port Wing Harbor, Wisconsin; House Document Numbered 668, Eightieth Congress;

Dunkirk Harbor, New York; House Document Numbered 632, Eightieth Congress;

Oswego Harbor, New York; in accordance with the report of the Chief of Engineers dated May 10, 1948;

Halfmoon Bay, California; House Document Numbered 644, Eightieth Congress;

Noyo River and Harbor, California; House Document Numbered 586, Eightieth Congress;

Tillamook Bay and Bar, Oregon (channel to, and boat basin at, Garibaldi); House Document Numbered 650, Eightieth Congress;

Umpqua River, Oregon (channel to, and basin in, Winchester Bay); Senate Document Numbered 154, Eightieth Congress.

Coos Bay, Oregon (Charleston Channel); House Document Numbered 646, Eightieth Congress;

Coos and Millicoma Rivers, Oregon; Senate Document Numbered 124, Eightieth Congress;

Skipanon Channel, Oregon (at Warreton); Senate Document Numbered 93, Eightieth Congress;

Smith River, Oregon; Senate Document Numbered 94, Eightieth Congress;

Grays Harbor and Chehalis River, Washington; House Document Numbered 635, Eightieth Congress.

SEC. 102. That hereafter direct allotments from appropriations for the maintenance and improvement of existing river and harbor works, or from other available appropriations, may be made by the Secretary of the Army for the collection and removal of drift in Baltimore Harbor and its tributary waters, and this work shall be carried out as a separate and distinct project.

SEC. 103. The proposed work of improvement of the Intracoastal Waterway from the Caloosahatchee to the Anclote River, Florida, House Document Numbered 371, Seventy-sixth Congress, as authorized in the Rivers and Harbors Act of March 2, 1945, is modified to the extent herein set forth, and the Secretary of the Army, acting through the Chief of Engineers, is authorized to utilize in the area affected such of the following routes as may be determined feasible by the Chief of Engineers, with the approval of the Secretary of the Army, namely, Route 1 generally paralleling the coast from Venice Bay to Lemon Bay as heretofore authorized in the River and Harbor Act of March 2, 1945; Route 2: Run east from the junction of Little Sarasota Bay and Casey's Inlet Channel, along the south side of Venice Bay, to a point just west of the Seaboard Railroad right-of-way; thence south to Alligator Creek; thence southwest to Lemon Bay; Route 3: Run east from the junction of Little Sarasota Bay and Casey's Inlet Channel, along the north side of Venice Bay, to the old canal right-of-way; thence east along the old canal right-of-way to the divide in section 3; thence south to Alligator Creek; thence southwest to Lemon Bay; Route 4: Cut an inlet from the open Gulf to Route 1 (House Document Numbered 371, Seventy-sixth Congress) in the vicinity of south end of the airport, with the necessary protecting works and jetties, thence along present Route 1 to Lemon Bay: *Provided*, That the cost to the United States shall not exceed the cost of the original route.

SEC. 104. That the existing project for the Neches and Angelina Rivers, Texas, adopted in the River and Harbor Act approved March 2, 1945, is hereby modified so as to provide that the local agency which gives assurances that upon completion of the entire project it will contribute toward the first cost of the work the sum of $5,000,000, shall be permitted to withdraw from the pool of dam B not to exceed two thousand cubic feet of water per second for its own use.

SEC. 105. In the prosecution of the work for the improvement of Bayou Carlin, Louisiana, in accordance with project adopted by the River and Harbor Act of March 2, 1945, the Chief of Engineers is hereby authorized to protect the piers of the railway bridge crossing Bayou Carlin at Delcambre, Louisiana.

SEC. 106. That the laws of the United States relating to the improvement of rivers and harbors passed since June 25, 1938, shall be compiled under the direction of the Secretary of the Army and the Chief of Engineers and printed for use of the Department of the Army.

SEC. 107. That not to exceed $5,000 annually of the funds appropriated for rivers and harbors shall be available for the support and

maintenance of the Permanent International Commission of the Congresses of Navigation and for the payment in amounts approved by the Chief of Engineers of the expenses of the properly accredited delegates of the United States to the meetings of the congresses and of the Commission.

SEC. 108. The dam site known as Foster Creek Dam on the Columbia River authorized in the River and Harbor Act of July 24, 1946, shall hereafter be known as the Chief Joseph Dam, and any law, regulation, document, or record of the United States in which such dam is designated or referred to under the name of Foster Creek Dam shall be held to refer to such dam under and by the name Chief Joseph Dam.

SEC. 109. The Secretary of the Army is hereby authorized and directed to cause preliminary examinations and surveys to be made at the following-named localities, the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes: *Provided*, That no preliminary examination, survey, project, or estimate for new works other than those designated in this title or some prior Act or joint resolution shall be made: *Provided further*, That after the regular or formal reports made as required by law on any examination, survey, project, or work under way or proposed are submitted, no supplemental or additional report or estimate shall be made unless authorized by law: *Provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this title until the project for the proposed work shall have been adopted by law: *Provided, further*, That reports of surveys on beach erosion and shore protection shall include an estimate of the public interests involved, and such plan of improvement as is found justified, together with the equitable distribution of costs in each case: *And provided further*, That this section shall not be construed to interfere with the performance of any duties vested in the Federal Power Commission under existing law:

Dosoris Creek, New York;

Tolchester Beach area, Maryland;

Little Magothy River, Maryland;

Holdens Creek, Virginia;

Hacks Creek, Northumberland County, Virginia;

Back River, York County, Virginia, and channel connecting Back River with Front Cove;

Bennetts Creek, York County, Virginia;

Powells Bay, Accomac County, Virginia, at Wisharts Point, and channel connecting said bay with the "Ballast";

Fishermans Bay, Lopez Island, Washington;

Quilcene Bay Harbor, Washington.

SEC. 110. Title I may be cited as the "River and Harbor Act of 1948".

TITLE II—FLOOD CONTROL

SEC. 201. That section 3 of the Act approved June 22, 1936 (Public, Numbered 738, Seventy-fourth Congress), as amended by section 2 of the Act approved June 28, 1938 (Public, Numbered 761, Seventy-fifth Congress), shall apply to all works authorized in this title except that for any channel improvement or channel rectification project provisions (a), (b), and (c) of section 3 of said Act of June 22, 1936, shall apply thereto, and except as otherwise provided by law: *Pro-*

vided, That the authorization for any flood-control project herein adopted requiring local cooperation shall expire five years from the date on which local interests are notified in writing by the Department of the Army of the requirements of local cooperation, unless said interests shall within said time furnish assurances satisfactory to the Secretary of the Army that the required cooperation will be furnished.

SEC. 202. The provisions of section 1 of the Act of December 22, 1944 (Public, Numbered 534, Seventy-eighth Congress, second session), shall govern with respect to projects authorized in this title; and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto shall apply as if herein set forth in full.

It is hereby declared to be the policy of the Congress that the following provisions shall be observed:

No project or any modification not authorized, of a project for flood control or rivers and harbors, shall be authorized by the Congress unless a report for such project or modification has been previously submitted by the Chief of Engineers, United States Army, in conformity with existing law.

SEC. 203. That the following works of improvement for the benefit of navigation and the control of destructive floodwaters and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and the supervision of the Chief of Engineers in accordance with the plans in the respective reports hereinafter designated and subject to the conditions set forth therein: *Provided*, That the necessary plans, specifications, and preliminary work may be prosecuted on any project authorized in this title with funds from appropriations heretofore or hereafter made for flood control so as to be ready for rapid inauguration of a construction program: *Provided further*, That the projects authorized herein shall be initiated as expeditiously and prosecuted as vigorously as may be consistent with budgetary requirements: *And provided further*, That pen stocks and other similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam authorized in this title for construction by the Department of the Army when approved by the Secretary of the Army on the recommendation of the Chief of Engineers and the Federal Power Commission:

DELAWARE RIVER BASIN

The plan for flood protection on the Lackawaxen River, Pennsylvania, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 113, Eightieth Congress, first session, and there is authorized to be appropriated the sum of $6,150,000 for partial accomplishment of that plan.

SUSQUEHANNA RIVER BASIN

The project for local flood protection at Wilkes-Barre and Hanover Township, Pennsylvania, authorized by the Flood Control Act approved June 22, 1936, in accordance with House Document Numbered 308, Sixty-ninth Congress, first session, is hereby modified to provide for raising a portion of the river front section of the protective

levee to provide a uniform degree of protection throughout its length at an estimated cost to the United States of $250,000 and subject to the conditions of local cooperation prescribed for that project in the Act approved June 22, 1936.

JAMES RIVER BASIN

That preparation of plans or construction shall not be undertaken on the Gathright Reservoir and the Falling Springs reregulating dam on Jackson River, Virginia, authorized by the Flood Control Act approved July 24, 1946, in accordance with the recommendations of the Chief of Engineers in House Document Numbered 207, Eightieth Congress, first session, until completion of review of the project to determine the desirability of its construction at the present time, and a finding of the proper local contribution on the basis of benefits to be derived for water supply, pollution abatement, and other conservation purposes.

CENTRAL AND SOUTHERN FLORIDA

The project for Caloosahatchee River and Lake Okeechobee drainage areas, Florida, authorized by the River and Harbor Act of July 3, 1930, as amended, is hereby modified and expanded to include the first phase of the comprehensive plan for flood control and other purposes in central and southern Florida as recommended by the Chief of Engineers in House Document Numbered 643, Eightieth Congress, subject to the conditions of local cooperation prescribed therein, and there is hereby authorized to be appropriated the sum of $16,300,000 for partial accomplishment of said plan.

ARKANSAS RIVER BASIN

The second paragraph under the heading "Arkansas River Basin" in the Flood Control Act of 1946 is hereby amended to read as follows:

"The Chief of Engineers is authorized to provide in the Canton Reservoir on the North Canadian River one hundred and seven thousand acre-feet of irrigation and water supply storage (including approximately sixty-nine thousand acre-feet for irrigation and thirty-eight thousand acre-feet for municipal water supply for Enid, Oklahoma, to be utilized in accordance with section 8 and section 6, respectively, of the Flood Control Act of December 22, 1944 (Public, 534, Seventy-eighth Congress)), upon the condition that when siltation of the reservoir shall encroach upon the flood control allocation the irrigation and water supply storage will be reduced progressively unless provision is made to raise the height of the dam or otherwise provide compensatory storage for flood control on the basis of an equitable distribution of the costs among the water users and other beneficiaries of conservation storage, as determined at that time."

The projects for flood protection at Carthage and Monett, Missouri, in the Arkansas River Basin are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 445, Eightieth Congress, at an estimated cost of $740,000.

The projects for local flood protection on the Arkansas River authorized by the Flood Control Act approved December 22, 1944, in accordance with House Document Numbered 447, Seventy-eighth Congress, are hereby modified to provide that the United States will participate

in the cost of raising the approaches to the highway bridges across the Arkansas River at Morrilton and at Van Buren-Fort Smith in an amount not to exceed $300,000.

The Chief of Engineers is authorized to construct, as an emergency measure, bank protection and control works at Bradens Bend, Oklahoma, in accordance with plans on file in the office of the Chief of Engineers, at an estimated cost of $1,000,000, as a part of the multiple-purpose plan for the Arkansas River and tributaries, Arkansas and Oklahoma, authorized by the River and Harbor Act approved July 24, 1946, and the authorization for appropriation for the Arkansas River Basin is hereby increased accordingly.

UPPER MISSISSIPPI RIVER BASIN

The project for flood protection at South Beloit, Illinois, on the Rock River is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 112, Eightieth Congress, at an estimated cost of $100,000.

The project for flood protection on the Henderson River, Illinois, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 245, Eightieth Congress, at an estimated cost of $1,520,000.

The project for flood protection at and in the vicinity of Aitkin, Minnesota, on the Mississippi River is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 599, Eightieth Congress, at an estimated cost of $1,680,000.

RED RIVER OF THE NORTH

The comprehensive plan for flood control and other purposes in the Red River of the North drainage basin, North Dakota, South Dakota, and Minnesota as set forth in the report of the Chief of Engineers dated May 24, 1948, is approved and there is hereby authorized the sum of $2,000,000 for the partial accomplishment of that plan.

OHIO RIVER BASIN

The local flood-protection works at and in the vicinity of Uniontown, Pennsylvania, on Redstone Creek, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 301, Eightieth Congress, at an estimated cost of $1,015,000.

The project for flood protection at Rosiclare, Illinois, on the Ohio River is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 125, Eightieth Congress, at an estimated cost of $500,000.

MISSOURI RIVER BASIN

The project for bank protection on the Missouri River from Kenslers Bend, Nebraska, to Sioux City, Iowa, authorized by the Act approved August 18, 1941, is hereby modified and extended upstream to include Miners Bend and vicinity, South Dakota and Nebraska, in accordance with plans on file in the office of the Chief of Engineers at an estimated cost of $3,000,000.

GREAT LAKES BASIN

The project for flood protection at Batavia and vicinity, New York, on Tonawanda Creek is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 46, Eightieth Congress, at an estimated cost of $565,000.

The project for flood protection at Dansville and vicinity, New York, on Canaseraga Creek, a tributary of the Genesee River, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 206, Eightieth Congress, at an estimated cost of $165,000.

The project for flood protection and other purposes on Red Run, a tributary of the Clinton River, Michigan, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 628, Eightieth Congress, at an estimated cost of $1,010,000.

The project for protection of the Reno Beach-Howards Farm area and adjacent areas, Lucas County, Ohio, from floods caused by frequent windstorms and from increases in the lake level of Lake Erie, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 554, Eightieth Congress, at an estimated cost of $330,000.

SANTA CLARA RIVER BASIN

The project for flood protection along the Santa Clara River and its tributaries, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 443, Eightieth Congress, at an estimated cost of $4,960,000.

GILA RIVER BASIN

The project for flood protection at Tucson and vicinity, Arizona, in the Gila River Basin, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 274, Eightieth Congress, at an estimated cost of $2,390,000.

WILLAMETTE RIVER BASIN

The general comprehensive plan for flood control, navigation, and other purposes approved by the Flood Control Act of June 28, 1938, is hereby modified to provide for the installation of hydroelectric power generating facilities, including the construction of a reregulating dam, at Detroit Reservoir on the North Santiam River in accordance with plans on file in the office of the Chief of Engineers.

LOWER MISSISSIPPI RIVER

The project for flood control and improvement of the Lower Mississippi River, adopted by the Act approved May 15, 1928, as amended by subsequent Acts, is hereby modified and expanded to include the following items:

(a) The project for improvement of the Mississippi River below Cape Girardeau with respect to the West Tennessee tributaries at an estimated cost of $7,700,000, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in

House Document Numbered 627, Eightieth Congress, and the authorization for the Lower Mississippi River project is increased accordingly.

(b) The Devils Swamp project at Baton Rouge, Louisiana, at an estimated cost of $2,000,000, authorized by the River and Harbor Act approved July 24, 1946, and the authorization for the Lower Mississippi River project is increased accordingly.

(c) The project for improvement of the L'Anguille River, Arkansas, at an estimated cost of $5,100,000 is hereby approved substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 651, Eightieth Congress, and the authorization for the Lower Mississippi River project is increased by $2,000,000.

RIO GRANDE BASIN

The comprehensive plan for the Rio Grande Basin as set forth in the report of the Chief of Engineers dated April 5, 1948, and in the report of the Bureau of Reclamation dated November 21, 1947, all in substantial accord with the agreement approved by the Secretary of the Army and the Acting Secretary of the Interior on November 21, 1947, is hereby approved except insofar as the recommendations in those reports are inconsistent with the provisions of this Act and subject to the authorizations and limitations set forth herein.

The approval granted above shall be subject to the following conditions and limitations:

(a) Construction of the spillway gate structure at Chamita Dam shall be deferred so long as New Mexico shall have accrued debits as defined by the Rio Grande Compact and until New Mexico shall consistently accrue credits pursuant to the Rio Grande Compact;

(b) Chiflo Dam and Reservoir on Rio Grande shall be excluded from the Middle Rio Grande project authorized herein without prejudice to subsequent consideration of Chiflo Dam and Reservoir by the Congress;

(c) The Bureau of Reclamation, in conjunction with other interested Federal agencies, is directed to make studies to determine feasible ways and means of reducing nonbeneficial consumption of water by native vegetation in the flood plain of the Rio Grande and its principal tributaries above Caballa Reservoir; and

(d) At all times when New Mexico shall have accrued debits as defined by the Rio Grande Compact all reservoirs constructed as a part of the project shall be operated solely for flood control except as otherwise required by the Rio Grande Compact, and at all times all project works shall be operated in conformity with the Rio Grande Compact as it is administered by the Rio Grande Compact Commission.

In carrying out the provisions of this Act, the Secretary of the Interior shall be governed by and have the powers conferred upon him by the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388), and Acts amendatory thereof or supplementary thereto, except as is otherwise provided in this Act or in the reports referred to above. This Act shall be deemed a supplement to said Federal reclamation laws.

Approval is granted to the Secretary of the Interior subject to the limitations of the authorizations approved from time to time for the prosecution of this plan to acquire in the name of the United States, by purchase or otherwise, any or all of the bonds and other evidences of indebtedness of the Middle Rio Grande Conservancy District out-

standing when such authorizations are approved at such prices and on such terms and conditions as he shall deem necessary or proper for the protection of the investment of the United States and to retire those obligations on such terms and conditions as he shall likewise deem proper or necessary.

The Secretary of the Interior, in entering into a contract or contracts for the repayment of the reimbursable construction costs of the Middle Rio Grande project, now estimated at approximately $18,000,000, shall vary that amount to reflect changes in the estimates of those costs occurring prior to the date of the contract or contracts and in so doing may, if need be, extend the repayment period beyond forty years to permit payment of costs in excess of the present estimate.

Subject to the limitations of authorizations approved from time to time for prosecution of this plan, approval is granted to the Secretary of the Interior to acquire, on behalf of the United States, by purchase or donation, agricultural lands owned by the State of New Mexico within the Middle Rio Grande project and to develop those lands substantially in the manner outlined in the report of the Bureau of Reclamation referred to above. Lands so acquired shall be resold or leased by the Secretary to actual settlers for agricultural purposes under rules and regulations prescribed by him which rules and regulations shall set out the prices and terms of such sales and leases, the qualifications required of purchasers and lessees, and other matters relating to the disposition and use of these lands, and shall provide a preferred right to purchase or lease any tract of such land to otherwise qualified persons of the following classes in the order here set out, purchasers in any class being preferred to lessees in that or any other class:

(1) The former owner or owners of such tracts, if his or their title thereto was divested by reason of sale for taxes to the State of New Mexico.

(2) Honorably discharged veterans of World War II who are the sons or daughters of the former owner or owners of such tract, if the title of said former owner or owners was divested by reason of sale for taxes to the State of New Mexico.

(3) The sons or daughters of the former owner or owners of such tract other than those referred to in (2) if the title of said former owner or owners was divested by reason of sale for taxes to the State of New Mexico.

(4) Honorably discharged veterans of World War II other than those referred to in (2).

(5) Persons other than those referred to in the clauses above. Any deed executed by the Secretary in favor of any person described under (4) or (5) shall provide that any person described under (1), (2), or (3) shall have the right to purchase any land conveyed by such deed, within a period of ten years after the execution thereof, by (a) paying to the owner the amount or amounts actually paid by him as consideration for such deed and for the actual cost of improvements on such land plus interest at the rate of 6 per centum per annum on such amount or amounts, and (b) assuming any obligations of the owner to the Secretary with respect to such land. Any lease executed by the Secretary under the provisions of this section to any person described under (4) or (5) shall, by its terms, expire not later than five years after the date of its execution. The preferred rights provided for

za. by this section to purchase or lease any land shall continue to be applicable until such land is finally disposed of by the Secretary; but the right of any lessee or purchaser to enter into possession shall be subject to any rights under any prior lease executed by the Secretary. Moneys accruing from the sale or lease of said lands shall be covered into the reclamation fund in the Treasury.

In the administration of the provisions of this Act all water in the Middle Rio Grande Valley in New Mexico shall be deemed to be useful primarily for domestic, municipal, and irrigation purposes.

Nothing in this Act shall be construed as affecting or abrogating in any way the laws of the State of New Mexico in which the Middle Rio Grande Valley lies, relating to the control, appropriation, or distribution of water used in irrigation or for municipal or other uses, or any vested right therein.

Nothing in this Act shall be construed to abrogate or impair existing obligations of the United States or any agency thereof, including obligations to furnish water for irrigation and obligations to any Indian or tribe or band of Indians whether based on treaty, agreement, or Act of Congress.

There is hereby authorized to be appropriated the sum of $3,500,000 to be expended by the Department of the Army for the partial accomplishment of the comprehensive plan for the Rio Grande Basin.

SEC. 204. The Secretary of the Army is hereby authorized and directed to cause preliminary examinations and surveys for flood control and allied purposes, including channel and major drainage improvements, and floods aggravated by or due to wind or tidal effects to be made under the direction of the Chief of Engineers, in drainage areas of the United States and its Territorial possessions, which include the following-named localities, and the Secretary of Agriculture is authorized and directed to cause preliminary examinations and surveys for run-off and water-flow retardation and soil-erosion prevention on such drainage areas, the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes: *Provided*, That after the regular or formal reports made on any examination, survey, project, or work under way or proposed are submitted to Congress, no supplemental or additional report or estimate shall be made unless authorized by law except that the Secretary of the Army may cause a review of any examination or survey to be made and a report thereon submitted to the Congress if such review is required by the national defense or by changed physical or economic conditions: *And provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this title until the project for the proposed work shall have been adopted by law;

Rahway River and its tributaries, New Jersey;

Chowan River and its tributaries, Virginia and North Carolina;

Pantego Creek and Cucklers Creek, North Carolina;

Rice Creek, a tributary of Saint Johns River, Florida;

Streams flowing through the Brazoria-Galveston Soil Conservation District, the Trinity Bay Soil Conservation District, the Coastal Plains Soil Conservation District, and the Matagorda County Soil Conservation District, Texas, with a view to improvement in the interest of navigation, flood control, and related purposes, including channel and major drainage improvements;

Area at and in the vicinity of Texas City, Texas, with a view to providing for its protection against storms and erosions, including the protection of the instrumentalities and aids to commerce located there;

Au Gres River and tributaries, Michigan;

Area at and in the vicinity of Bellevue, Ohio, and the surrounding area of Seneca, Erie, Huron, and Sandusky Counties, with a view to the control of floods caused by excess underground and surface waters;

Harbors and rivers in Alaska, with a view to determining the advisability of improvements in the interest of navigation, flood control, hydroelectric power, and related water uses;

Two Mile Creek, Oregon;

Aroostook River and tributaries, Maine;

Beaver Creek, Lincoln County, Oregon;

Skinner Creek, at and in the vicinity of Mannesville, New York;

Steinhatchee and Fenholloway Rivers, Florida;

River Rouge and tributaries, Michigan.

SEC. 205. That the Secretary of the Army is hereby authorized to allot from any appropriations heretofore or hereafter made for flood control, not to exceed $2,000,000 for any one fiscal year, for the construction of small flood-control projects not specifically authorized by Congress, and not within areas intended to be protected by projects so authorized, which come within the provisions of section 1 of the Flood Control Act of June 22, 1936, when in the opinion of the Chief of Engineers such work is advisable: *Provided*, That not more than $100,000 shall be allotted for this purpose at any single locality from the appropriations for any one fiscal year: *Provided further*, That the provisions of local cooperation specified in section 3 of the Flood Control Act of June 22, 1936, as amended, shall apply: *And provided further*, That the work shall be complete in itself and not commit the United States to any additional improvement to insure its successful operation, except as may result from the normal procedure applying to projects authorized after submission of preliminary examination and survey reports.

SEC. 206. That section 5 of the Flood Control Act of August 18, 1941, as amended by section 12 of the Flood Control Act of 1946, is hereby further amended to read as follows:

"That the Secretary of the Army is hereby authorized to allot, from any appropriations heretofore or hereafter made for flood control, not to exceed $2,000,000 for any one fiscal year to be expended in rescue work or in the repair, restoration, or maintenance of any flood-control work threatened or destroyed by flood, including the strengthening, raising, extending, or other modification thereof as may be necessary in the discretion of the Chief of Engineers for the adequate functioning of the work for flood control."

SEC. 207. That the sum of $62,000,000 is hereby authorized to be appropriated for carrying out improvements under this title by the Department of the Army, and the sum of $10,000,000 additional is authorized to be appropriated and expended in equal amounts by the Departments of the Army and Agriculture for carrying out any examination or survey provided for in this title and any other Acts of Congress to be prosecuted by said Departments.

SEC. 208. That the sum of $25,000,000 is hereby authorized to be appropriated as an emergency fund to be expended under the direction

of the Secretary of the Army and the supervision of the Chief of Engineers for the repair, restoration, and strengthening of levees and other flood-control works which have been threatened or destroyed by recent floods, or which may be threatened or destroyed by later floods, including the raising, extending, or other modification of such works as may be necessary in the discretion of the Chief of Engineers for the adequate functioning of the works for flood control: *Provided*, That local interests shall provide without cost to the United States all lands, easements, and rights-of-way necessary for the work and shall maintain and operate all the works after completion in a manner satisfactory to the Chief of Engineers: *Provided further*, That pending the appropriation of said sum, the Secretary of the Army may allot from existing flood-control appropriations such sums as may be necessary for the immediate prosecution of the work authorized by this section, such appropriations to be reimbursed from said emergency fund when appropriated: *And provided further*, That funds allotted under this authority shall not be diverted from the unobligated funds from the appropriation "Flood control, general", made available in War Department Civil Functions Appropriation Acts for specific purposes.

SEC. 209. Title II may be cited as the "Flood Control Act of 1948".

Approved June 30, 1948.